

56-1-18.5 Railroad property -- Duty of care.

- (1) A person may not ride or climb or attempt to ride or climb on, off, under, over, or across a railroad locomotive, car, or train.
- (2) A person may not walk, ride, or travel across, along, or upon railroad yards, tracks, bridges, or active rights-of-way at any location other than public crossings.
- (3) A person may not intentionally obstruct or interfere with train operations or use railroad property for recreational purposes.
- (4)
 - (a) Except as provided under Subsection (4)(b), an owner or operator of a railroad, including its officers, agents, and employees, owes no duty of care to keep railroad yards, tracks, bridges, or active rights-of-way safe for entry for any person violating this section.
 - (b) The owner or operator of a railroad may not intentionally, willfully, or maliciously injure a person if the owner or operator has actual knowledge of the person's presence on the property.
- (5) This section does not apply to a railroad employee, business invitee, or other person with express written or oral authorization to enter upon railroad property by the owner or operator of the railroad.
- (6) This section does not modify any rights or duties of federal, state, county, or municipal officials in the performance of their duties.

Amended by Chapter 324, 2010 General Session